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OCT 19 2016

**CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**
BY  **DEPUTY CLERK**

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Attorneys for Defendant
TEXAS EASTERN OVERSEAS, INC.
[Additional Attorneys Listed on Signature Page]

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

AMERIPRIDE SERVICES INC., a Delaware
corporation,

Plaintiff,

vs.

VALLEY INDUSTRIAL SERVICES, INC., a
former California Corporation, et al.

Defendants.

**AND CONSOLIDATED ACTION AND
CROSS AND COUNTER-CLAIMS.**

Case No. 2:00-cv-00113 MCE-DB

**STIPULATION AND ORDER
CONCERNING ADDITIONAL
RESPONSE COSTS DIRECTLY
INCURRED BY AMERIPRIDE SERVICES
INC.**

Trial Date: October 17-19, 2016
Time: 9:00 a.m.
Courtroom: 7
Judge: Hon. Morrison C. England, Jr.

Complaint Filed: January 20, 2000

1 Defendant TEXAS EASTERN OVERSEAS, INC. ("TEO") and Plaintiff
2 AMERIPRIDE SERVICES INC. ("AmerPride"), by and through their respective counsel,
3 stipulate as follows:

4 In order to avoid the unnecessary introduction of voluminous documents and to
5 streamline the trial process, the Parties stipulate to the following facts for the limited and
6 sole purposes of this trial, and not to be used for any other purpose.

7 **STIPULATION**

8 1. AmeriPride has directly incurred \$173,463.08 in additional investigation and
9 remediation costs after the costs addressed in the Court's August 1, 2016 Order (ECF No.
10 1052) through August 2016. These costs are identified on Exhibit 1 to this stipulation.

11 2. For the purposes of this action only, the costs described in Paragraph 1 are
12 recoverable under Section 107(a)(4)(B) of the Comprehensive Environmental Response,
13 Compensation, and Liability Act, 42 U.S.C. § 9607(a)(4)(B).

14 3. There are investigation and cleanup costs and oversight costs for which
15 AmeriPride seeks recovery that are not included in this stipulation. AmeriPride reserves
16 all of its rights in connection with such costs. TEO reserves all of its rights to object to
17 such costs.

18 Date: October 14, 2016

BASSI, EDLIN, HUIE & BLUM LLP

19 By: /s/ Fred M. Blum
20 FRED M. BLUM
21 ERIN K. POPPLER
22 Attorneys for Defendant
23 TEXAS EASTERN OVERSEAS, INC.
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1 Date: October 14, 2016

PERKINS MANN & EVERETT, APC

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3 By: /s/ Lee N. Smith

LEE N. SMITH

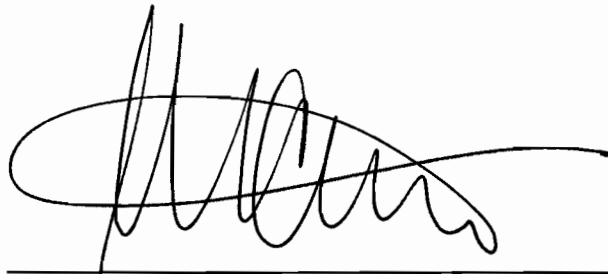
Attorneys for Plaintiffs

AMERIPRIDE SERVICES INC.

7 **ORDER**

8 IT IS SO ORDERED.

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10 Date: 10.19.16



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12 HON. MORRISON C. ENGLAND, JR.
13 UNITED STATES DISTRICT JUDGE
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